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## PRACTICE AREAS

### BUSINESS

L-1 Visas

H-1B

H-1B Transfers

Visas

TN Visas (NAFTA)

Special Visas for Other Countries

Australia

Chile / Singapore E-1

E-1 Visas

E-2 Visas

PERM Labor Certification

### HOSPITALS /HEALTHCARE

H-1C Visas

H-1B Visas for Doctors

### FAMILY

Spouse / Fiancee Visas

Permanent Residence for Family  
Within U.S.

Naturalization / Citizenship

### AMNESTY

## Gateway Opens to Foreign Workers in April for 2011

Posted: May 10th, 2010

The U.S. Citizenship and Immigration Services (the "USCIS") announced today that it will begin accepting H-1B petitions on April 1, 2010 on behalf of [foreign workers](#) in specialty occupations covered by the H-1B program.

U.S. companies can use the H-1B program to employ foreign national workers in specialty occupations that require theoretical or technical expertise (a U.S. Bachelors or higher degree or its U.S. equivalent) in specialized fields, such as science, engineering, businesses or computer programming.

The number of H-1B visas that can be granted each year by USCIS is capped, so United States companies who might want or need the expertise of foreign workers in 2011 are well-advised to begin working on their H-1B petitions as soon as possible.

The fiscal year cap for FY 2011 is 65,000. There is an additional 20,000 H-1B visa numbers available for petitions filed on behalf of individuals who have earned a master's or higher degree from a United States institution of higher education.

Petitions for H-1B employment are also exempt from the annual cap if the beneficiaries will work at institutions of higher education or nonprofit entities, nonprofit organizations affiliated with institutions of higher education, or governmental research organizations.

Petitions filed on behalf of current H-1B workers who have been counted previously against a cap also do not count towards the current cap. Thus, the USCIS will continue to process petitions filed in order to:

\*extend the amount of time a current H-1B worker may remain in the U.S.;

\*change the terms of employment for current H-1B workers;

\*allow current H-1B workers to change employers; or



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\*allow a current H-1B worker to work concurrently in a second H-1B position.

Companies filing H-1B petitions must follow all statutory and regulatory requirements to avoid delays in processing and possibly cumbersome investigations or requests for evidence.

So those in need of foreign workers in specialty occupations are advised to call our offices at (847) 564-0712 and check out the pertinent section of our Website on [H-1B applications](#)

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